

Applicants: *Vincent W. Allaway et al.*  
Serial No.: 08/891,062  
Filed: June 25, 2001  
Page 10

Supplemental Information Disclosure Statement

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(c)(2) to supplement the Information Disclosure Statement filed on January 7, 2002 in connection with the subject application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following documents which are listed on the attached Form PTO-1449 (Exhibit C), and certain of which are attached hereto as Exhibits 1-18:

1. U.S. Patent No. 5,994,515 A, issued November 30, 1999 to J.A. Hoxie;
2. U.S. Patent No. 6,107,019 A, issued August 22, 2000 to G.P. Allaway et al.;
3. U.S. Patent No. 6,261,763 B1, issued July 17, 2001 to G.P. Allaway et al.;
4. U.S. Patent No. 6,344,545 B1, issued February 5, 2002 to G.P. Allaway et al.;
5. U.S. Patent No. 6,759,519 B2 issued July 6, 2004 to Y. Li and S. M. Ruben;
6. W.C. Olson et al., U.S. Patent Application Publication No. 2003/0228306 A1, published December 11, 2003;
7. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2004/0228869 A1, published November 18, 2004;
8. PCT International Application Publication No. WO 95/16789, published December 16, 1994 (Exhibit 1);

Applicants: Virginia M. Litwin et al.  
Serial No.: 08/891,062  
Filed: June 25, 2001  
Page 11

9. PCT International Application Publication No. WO 96/41020, published December 19, 1996 (**Exhibit 2**);
10. PCT International Application Publication No. WO 97/37005, published October 9, 1997 (**Exhibit 3**);
11. PCT International Application Publication No. WO 97/45543, published December 4, 1997 (**Exhibit 4**);
12. PCT International Application Publication No. WO 97/47319, published December 18, 1997 (**Exhibit 5**);
13. PCT International Application Publication No. WO 97/49424, published December 31, 1997 (**Exhibit 6**);
14. PCT International Application Publication No. WO 98/56421, published December 17, 1998 (**Exhibit 7**);
15. PCT International Application Publication No. WO 00/35409, published June 22, 2000 (**Exhibit 8**);
16. G.P. Allaway, U.S. Serial No. 08/169,311, filed December 17, 1993 (now abandoned);
17. G.P. Allaway, U.S. Serial No. 08/475,515, filed June 7, 1995 (now abandoned) (**Exhibit 9**);
18. G.P. Allaway et al., U.S. Serial No. 08/627,684, filed April 2, 1996 (now abandoned) (**Exhibit 10**);
19. G.P. Allaway et al., U.S. Provisional Application No. 60/014,532, filed April 2, 1996;
20. G.P. Allaway et al., U.S. Serial No. 08/663,616, filed June

Applicants: Virginia M. Litwin et al.  
Serial No.: 08/891,062  
Filed: June 25, 2001  
Page 12

14, 1996 (now abandoned) (**Exhibit 11**);

21. G.P. Allaway et al., U.S. Serial No. 08/673,682, filed June 25, 1996 (now abandoned) (**Exhibit 12**);

22. Allowed claims in G.P. Allaway et al., U.S. Serial No. 09/412,284, filed October 5, 1999 (**Exhibit 13**);

23. Pending claim in G.P. Allaway et al., U.S. Serial No. 09/460,216, filed December 13, 1999 (**Exhibit 14**);

24. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/888,938, filed June 12, 2001, and published October 24, 2002 as U.S. Patent Application Publication No. 2002/0155429 A1 (**Exhibit 15**);

25. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/904,356, filed July 12, 2001, and published April 18, 2002 as U.S. Patent Application Publication No. 2002/0045161 A1, (**Exhibit 16**);

26. G.P. Allaway et al., U.S. Serial No. 08/665,090, filed June 14, 1996 (now abandoned) (**Exhibit 17**); and

27. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/724,105, filed November 28, 2000 (**Exhibit 18**).

The Examiner is respectfully requested to make these documents of record in the present application by initialing and returning a copy of the enclosed Form PTO-1449.

Pursuant to 37 C.F.R. §1.98(a)(2), as amended in the September 21, 2004 Final Rule, copies of the above-cited U.S. Patents and patent application publications (references 1-7) are not attached hereto.

Applicants: Virginia M. Litwin et al.  
Serial No.: 08/891,062  
Filed: June 25, 2001  
Page 13

37 C.F.R. §1.98(a)(2)(iii) provides that an Information Disclosure Statement shall include, for each cited pending U.S. application, a legible copy of the application specification including the claims and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. Under 37 C.F.R. §1.98(c), when the disclosures of two or more patents or publications listed in an Information Disclosure Statement are substantively cumulative, a copy of one of the patents or publications may be submitted without copies of the other patents or publications, provided it is stated that these other patents or publications are cumulative. In accordance with 37 C.F.R. §1.98(c), copies of certain of the references listed above are not attached hereto as they are cumulative.

Specifically, PCT International Application Publication No. WO 95/16789, published December 16, 1994 (reference 8) claims priority of and is identical to U.S. Serial No. 08/169,311, filed December 17, 1993 (now abandoned) (reference 16). Therefore, references 8 and 16 are cumulative to each other since each contains an identical disclosure. Accordingly, pursuant to 37 C.F.R. §1.98(c), a copy of reference 16 is not attached hereto.

References 18 and 19 are cumulative to each other since each contains an identical disclosure. Therefore, pursuant to 37 C.F.R. §1.98(c), a copy of reference 19 is not attached hereto.

U.S. Serial No. 09/412,284, filed October 5, 1999, is a continuation of U.S. Serial No. 08/973,601, filed March 16, 1998, which issued as U.S. Patent No. 6,261,763 B1 (reference 3). Therefore, a copy of U.S. Serial No. 09/412,284 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims allowed in U.S. Serial No. 09/412,284 is attached hereto as Exhibit 13.

Applicants: virginia M. LITWLN et al.  
Serial No.: 08/891,062  
Filed: June 25, 2001  
Page 14

U.S. Serial No. 09/460,216, filed December 13, 1999, is a §371 national stage application of PCT International Application Publication No. WO 98/56421, published December 17, 1998 (reference 14). Therefore, a copy of U.S. Serial No. 09/460,216 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the single claim pending in U.S. Serial No. 09/460,216 is attached hereto as Exhibit 14.

U.S. Serial No. 09/888,938, filed June 25, 2001 (and published October 24, 2002 as U.S. Patent Application Publication No. 2002/0155429), is a continuation of U.S. Serial No. 10/831,823, filed April 2, 1997, which issued as U.S. Patent No. 6,344,545 B1 (reference 4). Therefore, a copy of U.S. Serial No. 09/888,938 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/888,938 is attached hereto as Exhibit 15.

U.S. Serial No. 09/904,356, filed July 12, 2001 (and published April 18, 2002 as U.S. Patent Application Publication No. 2002/0045161 A1), is a continuation of U.S. Serial No. 08/973,601, filed March 16, 1998, which is a national stage application of PCT International Application Publication No. WO 96/41020, published December 19, 1996 (reference 9). Therefore, a copy of U.S. Serial No. 09/904,356 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/904,356 is attached hereto as Exhibit 16.

U.S. Serial No. 09/724,105, filed November 28, 2000, is a continuation of U.S. Serial No. 08/874,618, filed June 13, 1997, which has the same disclosure as PCT International Application Publication No. WO 97/47319, published December 18, 1997 (reference 12). Therefore, a copy of U.S. Serial No. 09/724,105 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/724,105 is attached hereto as Exhibit 18.

Applicants: virginia m. litzwin et al.  
Serial No.: 08/891,062  
Filed: June 25, 2001  
Page 15

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Pursuant to 37 C.F.R. §1.97(c)(2) and 1.17(p), a fee of one hundred and eighty dollars (\$180.00) is required for filing the enclosed Supplemental Information Disclosure Statement and a check for this amount is enclosed. No additional fee is deemed necessary in connection with the filing of this response. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

*John P. White*  
John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham, LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop Amendment, Commissioner for  
Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450.

*John P. White 5/13/05*

John P. White	Date
Reg. No. 28,678	